



City of Seattle
Urban Forestry Commission

SEATTLE URBAN FORESTRY COMMISSION

Becca Neumann (Position #4 – Hydrologist), Co-chair

Joshua Morris (Position #7 – NGO), Co-Chair

Laura Keil (Position #10 – Get Engaged), Co-Chair

Julia Michalak (Position #1 – Wildlife Biologist) • **Falisha Kurji** (Position #3 – Natural Resource Agency)

Stuart Niven (Position #5 – Arborist – ISA) • **Hao Liang** (Position #6 – Landscape Architect – ISA)

David Baker (Position # 8 – Development) • **Jessica Hernandez** (Position #11 – Environmental Justice)

Jessica Jones (Position # 12 – Public Health) • **Lia Hall** (Position #13 – Community/Neighborhood)

The Urban Forestry Commission was established to advise the Mayor and City Council concerning the establishment of policy and regulations governing the protection, management, and conservation of trees and vegetation in the City of Seattle

Draft meeting notes

May 3, 2023, 3:00 p.m. – 5:00 p.m.

Via Webex call and in-person at the
Seattle Municipal Tower, Room 1872 (18th floor)
700 5th Avenue, Seattle

(206) 207-1700

Meeting number: 2491 422 9957

Meeting password: 1234

Attending

Commissioners

Josh Morris – Co-Chair

Laura Keil – Co-Chair

Falisha Kurji

Stuart Niven

Hao Liang

Jessica Hernandez

Lia Hall

Staff

Patti Bakker – OSE

Guests

Toby Thaler

Absent- Excused

Becca Neumann – Co-Chair

Julia Michalak

David Baker

Jessica Jones

Public

Steve Zemke

Michael Oxman

Sandy Shettler

David Moehring

NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at:
<https://www.seattle.gov/urbanforestrycommission/meetingdocuments>

Call to order: Laura called the meeting to order and offered a land acknowledgement.

Public comment:

Steve Zemke noted that this process is coming to a close, as the Land Use Committee will be reviewing amendments tomorrow and potentially voting on the ordinance. They produced an evaluation of some of the amendments. The 85% lot coverage issue still remains as Amendment A2 and CM Pedersen has proposed Amendment A6, which retains the floor area ratio method of evaluating projects. Another area of interest is the in-lieu fees – Amendment E6 includes the UFC’s recommendation for a \$4,000 amount, and Amendment G2 is counter to that, with lower fees, which he urges voting no on. Finally, he noted it is important to concentrate on trying to preserve trees, not look at ways to remove trees; there is still a lot more that needs to be done.

Chair, Committees, and Coordinator report:

Patti noted that there is a webinar series called Urban Forest Connections, run by the US Forest Service, that is aimed at creating “a stage for experts to share the latest science, practice, and policy on urban and community forestry. Topics include issues affecting the health of people and the health of the trees and forests that communities depend on to moderate local climate extremes, and provide food, shelter, water, wildlife habitat, environmental justice, artistic expression and spiritual healing.” It is focused primarily on the needs of local advocates and practitioners, but participants range from state and federal government to nonprofit, municipal, university, private industry and public health leaders. Patti provided a link for more information on the series.

Josh reiterated the Land Use Committee meetings will be held tomorrow, and are where the amendments will get voted out of committee, so it is one of the last chances to have an influence on what ultimately gets presented at Council. He encouraged everyone willing and able to participate in public comment to comment in the meeting in their personal capacities, taking what the UFC discusses here today to present to Council so that they hear it as they try to process all of the information coming at them.

Josh also shared that he had a meeting with one of the Co-Chairs of the Seattle Planning Commission. It’s the Planning Commission’s responsibility to steward the city’s Comprehensive Plan, which is going through the update process and is a priority on the UFC work plan. There is an opportunity to collaborate with the Planning Commission and that partnership will be explored.

Urban Forest Protection ordinance amendments and other follow-up

Josh provided background information on the amendments and the process for them. The full language for the 48 amendments was just shared yesterday afternoon, so there hasn’t been a lot of time to review and absorb the proposed changes. Josh walked through the draft recommendations he put together for the amendments, which includes a table of the amendments as provided by Council central staff and with space provided for UFC input, including opposing or supporting each amendment as well as details on UFC input.

Josh recommended trying to get through as many of the amendments as possible, focusing first on those amendments where there are conflicts between amendments. He noted that many of the amendments stem from UFC recommendations, as sponsored mainly by Councilmember Pedersen.

Commissioners reviewed and discussed the amendments and edited the letter to reflect their input on them. They reviewed the three areas of conflicting amendments and as many of the additional amendments as there was time to get through. There were 13 amendments there was not time to review, and these were noted in the table of input in the letter.

Action: A motion to adopt the ordinance amendments feedback letter as amended was made, seconded and approved.

NOTE: Meeting notes are not exhaustive. For more details, listen to the digital recording of the meeting at: <http://www.seattle.gov/urbanforestrycommission/meetingdocs.htm>

Public comment:

Michael Oxman noted some of the ecology considerations that aren't included in the ordinance. Urban forests rely on interrupted water supply and drainage, so our water management is dependent on having a crumbling concrete that's past its service life, and the city has delayed deferred maintenance, and the longer the city waits, the more expensive it will be to complete. An example impact of this is if thousands of culverts back up during a flood event, it could cause septic conditions and kill trees. This would affect human health by losing this component of urban forest because of not appropriating funds to upgrade the health of habitats for ecological services. Urban forest assets must be optimized by protecting trees through legislation, and the funding for the Natural Capital Assessment must be included in the proposed tree ordinance.

Sandy Shettler thanked the UFC for their work and noted that it would be great for Council and their staff to hear from Commissioners of all of the work being done. She urged Commissioners to reach out to them.

Steve Zemke noted the UFC should stand up for the requirement for the UFC to be included in review of policy prior to them becoming public. The ordinance creating the UFC states that one of the UFC responsibilities is to be able to review documents before they are presented to the Council, and that didn't happen here. The UFC should let them know it's not an effective use of UFC time and it needs to change.

Toby Thaler, as legislative aid to a city councilmember who is the most accommodating to the UFC goals, noted that there is a letter from the Master Builders that should induce folks to attend the meeting tomorrow and provide public comment.

David Moehring expressed appreciation for the UFC's work, especially the 15-page recommendation letter on the ordinance. He noted particular amendments that would have significant impact on tree loss.

Lia Hall noted that the most vocal commenters at the Land Use Committee meetings have been tree advocates and developers. Those who need housing have been missing, so she encouraged folks to reach out if anyone has any contacts with folks or organizations in that group.

Adjourn: The meeting was adjourned at 5:16 PM.

Meeting chat:

from Bakker, Patricia to everyone: 3:12 PM

Want to stay up to date on our upcoming webinars? Sign up for our mailing list. If you have questions or comments about this webinar series or wish to present your science and innovative practice or policy on our stage, please email us!

from Bakker, Patricia to everyone: 3:12 PM

<https://lp.constantcontactpages.com/su/b9BhuOM?>

from Jim Davis to everyone: 3:13 PM

The meeting number on the agenda is different than the meeting number in the email. Some people may be in waiting room.

from Tristan Fields to everyone: 3:14 PM

I had to go to the website to find the current webex.

from Tristan Fields to everyone: 3:14 PM

On the USDA Forest Service topic -

<https://www.fs.usda.gov/research/products/multimedia/webinars/urbanforestconnections>

from Sandy Shettler to everyone: 3:16 PM

Hi everyone, the meeting number in the notice isn't correct, so people have had trouble getting in. The number is correct on the agenda, but not on the meeting notice. Trying to share with others.

from Sandy Shettler to everyone: 3:16 PM

Thank you Josh!

from Jim Davis to everyone: 3:24 PM

For effective messaging to people, could the UFC pick the top five in priority at some point?

from Jessica (privately): 3:25 PM

Just joined Jessica hernandez

from June BlueSpruce to everyone: 3:28 PM

Agree with Jim. Also, will this letter with UFC's recommendations for amendments be released to all of us interested in time for the LUC meeting tomorrow? It would help guide public comments. We have so little time to prepare.

from Steve Zemke to everyone: 3:29 PM

Arborists recommended Pedersen's approach, not drip line

from Steve Zemke to everyone: 3:30 PM

Tree species different root systems and ages are a factor in trunk measurement

from Steve Zemke to everyone: 3:34 PM

If i said E2 vote no, I support E6

from Steve Zemke to everyone: 3:38 PM

reportable work - 2" and 15% is what SDOT does, lot of work will not be reportable then if higher level

from Steve Zemke to everyone: 3:39 PM

25% canopy used to be excessive pruning so will be few reports of pruning as a result

from Allen Taylor to everyone: 3:40 PM

Steve, SDOT trees are public property. We're talking about private property here.

from Steve Zemke to everyone: 3:40 PM

hedge definition - frequently has trees, work is defined as hedges regularly pruned so as not to cut trees that are full size

from Allen Taylor to everyone: 3:43 PM

It's pretty in the weeds, but I believe that hedge maintenance only permits continuing to hedge trees that have been maintained previously as hedges. Not cutting large tree-form hedge species (which were not previously hedged) down to be hedges.

from Steve Zemke to everyone: 3:44 PM

Without knowing where work is occurring no chance to check if excessive pruning is occurring - have instances in neighborhood where more than 25% of canopy was removed

from Allen Taylor to everyone: 3:44 PM

Notices do not effectively regulate over-pruning they just create paperwork and costs.

from Hao Liang to everyone: 3:45 PM

@Steve, to your comment on the tree protection area. I understand the Pedersen amendment may have support from the arborists. I stay skeptical of it as the proposal does not bring clarity to other disciplines and the general public. In comparison, the existing code, though it uses the drip line method, is much clear to me.

from Tristan Fields to everyone: 3:51 PM

@Hao - the ISA is clear on BMPs for tree protection area. The drip line method often is reduced for trees in tight urban spaces. If the canopy is off center, or was pruned off center in previous years you may not capture structural roots in the tree protection area.

from Tristan Fields to everyone: 3:52 PM

Did I miss your intention Hao?

from Lia Hall to everyone: 3:52 PM

or make an exception for things like western red cedar

from Hao Liang to everyone: 3:53 PM

I support referencing the ISA inch to foot method. I was just talking about the clarity

from Tristan Fields to everyone: 3:53 PM

Ahhh - apologies

from Lia Hall to everyone: 3:54 PM

and then who would fill the void...

from Hao Liang to everyone: 3:54 PM

As I mentioned, I'm not familiar with the ANSI standards and I have come across different versions. I cannot tell if we are referencing the ISA critical root zone method. I have no comment on the ANSI A300

from Allen Taylor to everyone: 3:55 PM

Contractors routinely ask arborists to prune trees to reduce their dripline area to reduce tree protection area - yuck!

from Chris Gaul to everyone: 3:55 PM

Allen, excellent point!

from Lia Hall to everyone: 3:59 PM

And how would it be dealt with if it is not a legitimate company?

from Steve Zemke to everyone: 4:00 PM

Without knowing where pruning is occurring, its back to citizen complaints for excessive pruning which is pretty ineffectual. I know its a burden to most arborists but how do you stop bad pruning like topping if there is a lot less reporting of work.

from Jessica to everyone: 4:02 PM

@lia can you explain what you mean by "not legitimate"?

from Jessica to everyone: 4:02 PM

Like they don't have a permit to operate as a business? Want to make sure I understand your comment.

Thanks

from Lia Hall to everyone: 4:02 PM

@jessica does not have a business license

from Jessica to everyone: 4:03 PM

Ok thanks for clarifying. Want to make sure I get the reference. Thanks!

from Steve Zemke to everyone: 4:03 PM

Need a separate Urban Forestry Division that doesn't have a conflict of interest SDCI main business is helping builders built, not protecting trees

from Lia Hall to everyone: 4:04 PM

for sure thanks for the question @jessica

from Chris Gaul to everyone: 4:05 PM

The tree is always on a property. Make the property owner responsible.

from Jessica to everyone: 4:06 PM

@steve can you clarify that?

from Steve Zemke to everyone: 4:08 PM

There is no Urban Forestry Division in SDCI - only 2 arborists. SDCI gets most of its funding from building permits, nothing from trees except some fines.

from Jessica to everyone: 4:09 PM

Can we recommend for this to also incorporate a racial justice or environmental justice lens?

from Sandy Shettler to everyone: 4:09 PM

Following up on Steve's explanation, many cities are setting up urban forestry divisions which are operationally independent of the building department, including Portland OR (operates out of Parks) and Boston MA

from Jessica to everyone: 4:10 PM

Public health is very general in the broad scope. Would like to see this. Re: racial and environmental justice lens as well

from Sandy Shettler to everyone: 4:11 PM

Great way to frame it Lia

from Toby Thaler to everyone: 4:11 PM

Ability to enter land to enforce tree code has been an ongoing problem. Please inquire in writing to your overseeing department about this issue.

from Steve Zemke to everyone: 4:11 PM

Urban Forestry infrastructure provides multiple services to public, eg reducing stormwater runoff, reducing air pollution, etc.

from Steve Zemke to everyone: 4:12 PM

Morales has amendment in package deal to be voted on as whole

from Jessica to everyone: 4:12 PM

Maybe inquire if they can connect it to housing?

from Jessica to everyone: 4:13 PM

Maybe pull them

from Jessica to everyone: 4:13 PM

I'm on my phone today

from Steve Zemke to everyone: 4:13 PM

in group II - E10

from Jessica to everyone: 4:15 PM

So how is this "public health" recommendation different? Given that morales addresses it already here

from Jessica to everyone: 4:16 PM

Yea

from Jessica to everyone: 4:17 PM

I think it's a great start

from Steve Zemke to everyone: 4:20 PM

allows flexibility but removes ammenties for residents so what is a good balance

from Lia Hall to everyone: 4:21 PM

ok thanks

from Sandy Shettler to everyone: 4:21 PM

I'm concerned about A5. There are ADUs already built and occupied which are 13-ft wide. Townhouses in the multifamily zone are routinely 14-ft wide. Why remove exeptional/Tier 2 trees to guarantee 15-ft wide homes?

from Sandy Shettler to everyone: 4:22 PM

I will bring examples to the council meeting tomorrow.

from Sandy Shettler to everyone: 4:22 PM

Not per David Moehring

from Steve Zemke to everyone: 4:23 PM

It would reduce flexibility for saving Tier 2 trees. This removes flexibility of city to save treess mu

from Sandy Shettler to everyone: 4:25 PM

Disappointed Tier 4 not included

from Sandy Shettler to everyone: 4:25 PM

They are noted on site plans, but only Tiers 1-3 included for protection

from Jim Davis to everyone: 4:30 PM

Is the Master Builders letter a public document that is available?

from Lia Hall to everyone: 4:30 PM

Thanks for the explanation @Toby. C3 would make a huge impact

from Toby Thaler to everyone: 4:32 PM

Re MBAKS letter. It's definitely a public document. I only received it about when your meeting started. I'll send to a few of the people I know who are in this meeting.

from Sandy Shettler (privately): 4:33 PM

Patti, I missed the first part of the meeting, is this comment sheet going to be available tonight after the meeting?

to Sandy Shettler (privately): 4:34 PM

Sandy, yes, I'll aim to post the letter to the website tonight.

from Sandy Shettler (privately): 4:34 PM

Thank you so much! A lot to do right now.

from Steve Zemke to everyone: 4:35 PM

Smaller trees have better survival rate

from Chris Gaul to everyone: 4:35 PM

What happens after it is replaced? Who waters it?

to Sandy Shettler (privately): 4:35 PM

Yes, so much!

from Toby Thaler to everyone: 4:37 PM

MBAKS letter sent, including to Patty Bakker who may distribute it to all UFC.

from Bakker, Patricia to everyone: 4:37 PM

Yes, I will distribute.

from Steve Zemke to everyone: 4:38 PM

Harrell's Executive order is planting 3 trees for each healthy one removed. Definitely need more than 1:1 replacement.

from Steve Zemke to everyone: 4:41 PM

E-3 gives authority to create a director's rule for exceptional - opportunity for ufc input on this issue. is in group II amendments

from Toby Thaler (privately): 4:42 PM

Thanks. This process is way too rushed...

from Steve Zemke to everyone: 4:42 PM

E3 Authority to create Director's Rule for Replacement Trees

from Sandy Shettler to everyone: 4:42 PM

Lou Stubecki at Trees For Neighborhoods has lots of experience with this. They eventually settled on 1-inch caliper replacement trees as the best compromise for the ROW.--too big to get overlooked but still young and adaptable

to Toby Thaler (privately): 4:42 PM

Yes, so much to process very fast...

from Allen Taylor to everyone: 4:43 PM

I also think there should be some requirement for eventual size of the replacement species. Otherwise everyone plants vine maple to replace douglas for (cough Mercer Island, cough).

from Allen Taylor to everyone: 4:43 PM

*Douglas fir

from Jim Davis to everyone: 4:47 PM

At first glance, MBACKS opposed to A6, B3, C2, C3, C4, E4, E6, E8, E9, G1, G2 and G3.

from Jim Davis to everyone: 4:50 PM

Top priorities in last few minutes?

from Steve Zemke to everyone: 4:53 PM

D% strange - allows dead tree to be removed but no replacement, hazard trees however elsewhere require replacement

from Steve Zemke to everyone: 4:53 PM

sorry D5

from Steve Zemke to everyone: 4:54 PM

H4 involves economic hardship v

from Jim Davis to everyone: 4:55 PM

Top 5 priorities from UFC would be helpful for messaging to tree advocates.

from Stuart Niven to everyone: 4:56 PM

I strongly suggest the UFC demands more time to review the amendments and that LUC does not vote on this until we have been able to do this, otherwise we are not providing the best advice possible to Council.

from June BlueSpruce to everyone: 4:57 PM

I still would like to know whether we all will have access to UFC's recommendations by tomorrow morning to inform public comment at LUC meeting. Thank you for all your great work to improve this flawed ordinance.

from Bakker, Patricia to everyone: 4:58 PM

Yes, I will post the final letter to the UFC website tonight.

from June BlueSpruce to everyone: 4:58 PM

Thank you, Patty.

from Toby Thaler to everyone: 4:59 PM

MBACKS also asked for more time (before opposing all the amendments you support).

from Jim Davis to everyone: 5:00 PM

The most important thing is top 5 priorities, please. We don't have much time to contact tree advocates in a concise manner.

from Steve Zemke to everyone: 5:00 PM

D6 nuisance trees

from Sandy Shettler to everyone: 5:02 PM

Also climate and culture are mutually exclusive--PNW trees are less adapted to climate impacts so the thinking is use more trees from California--not historic PNW culture. Agree with Allen!!

from Stuart Niven to everyone: 5:02 PM

Great points Allen!

from June BlueSpruce to everyone: 5:02 PM

Maybe the comment on D6 needs to be clearer - support not using KC nuisance tree list but using Seattle-specific nuisance tree list

from Allen Taylor to everyone: 5:02 PM

<https://kingcounty.gov/services/environment/animals-and-plants/noxious-weeds/laws/list.aspx>

from Allen Taylor to everyone: 5:03 PM

black locust Robinia pseudoacacia Yes

from Michael Oxman to everyone: 5:03 PM

Birch trees have an epidemic of disease that citizens should be made aware of, and should not be planted.

from June BlueSpruce to everyone: 5:04 PM

I believe the ordinance establishing the UFC says that any legislation affecting urban forestry needs to be reviewed by UFC BEFORE BEING SUBMITTED TO COUNCIL. I'll check that and it would be good to bring up in comments at LUC

from Stuart Niven to everyone: 5:05 PM

(European mountain ash trees are believed to ward off evil spirits in Celtic lore - perhaps this is cultural significance?)

from Allen Taylor to everyone: 5:05 PM

Robinia is on the King County list, but not the list I put together.

from Allen Taylor to everyone: 5:05 PM

https://docs.google.com/document/d/1CHU5Ni-DyXvenbwjp1WgiTZ-qifn6UjJ1_CUI6RqP5w/edit?usp=sharing

from Toby Thaler to everyone: 5:05 PM

A.

The responsibilities of the Urban Forestry Commission include:

1.

To provide recommendations on any Urban Forestry Management Plan, or any similar document, designed to provide policy direction to the Mayor and City Council on preserving and protecting the City's urban forest habitat and its trees and understory vegetation in the City, whether on public or private property;

2.

To provide recommendations concerning City plans, major or significant policy recommendations, policy and any City department's recommendations related to urban forestry, arboriculture and horticulture;

3.

To provide recommendations on legislation concerning urban forestry management, sustainability and protection of associated trees and understory vegetation and related habitat on public or private property prior to its introduction and referral to any Council committee;

4.

To review and comment on any proposal to inventory trees within the City of Seattle;

5.

To educate the public on urban forests

from Steve Zemke to everyone: 5:05 PM

in lieu fee

from Allen Taylor to everyone: 5:05 PM

My list: Leyland Cypress

Cherry laurel

English holly

Tree of Heaven

European mountain ash

Portugal laurel

Arborvitae

from Allen Taylor to everyone: 5:06 PM
Great info Toby!

from June BlueSpruce to everyone: 5:06 PM
Thank you, Toby.

from Tristan Fields to everyone: 5:06 PM
Thank you for all your work!

from Toby Thaler to everyone: 5:06 PM
Repeat -- SMC 3.72.050:

from Chris Gaul to everyone: 5:06 PM
Thank you!

from Toby Thaler to everyone: 5:07 PM
To provide recommendations on legislation concerning urban forestry management, sustainability and protection of associated trees and understory vegetation and related habitat on public or private property prior to its introduction and referral to any Council committee;

from Francisca to everyone: 5:07 PM
Thank you for all your attention!

from Allen Taylor to everyone: 5:07 PM
Thank you Josh!

from Dinushi to everyone: 5:07 PM
Thank you forr all your work!!!

from June BlueSpruce to everyone: 5:07 PM
You all have done fantastic work under ridiculous conditions.

from Allen Taylor to everyone: 5:07 PM
And all the other comissioners!

from Stuart Niven to everyone: 5:07 PM
Excellent work Josh!!!!

from Bridget M., FAIA to everyone: 5:07 PM
Thank you Josh

from Lia Hall to everyone: 5:07 PM
Thanks for the public's participation in the chat here too.

from Jim Davis to everyone: 5:08 PM
Thank you Commissioners!

from Francisca to everyone: 5:08 PM
No comment from Francisca Thank you

from Michael Oxman to everyone: 5:08 PM
Michael Oxman

from Michael Oxman to everyone: 5:10 PM
Video of a 3-part panel discussion at Seattle Neighborhood Coalition (SNC).
Part 1 Toby Thaler <https://youtu.be/aQaTZzPuluw?t=217>
Part 2 Michael Oxman <https://youtu.be/6l5CKw62Wgl>
Part 3 Steve Zemke <https://youtu.be/aFS3B4vIR30>

from June BlueSpruce to everyone: 5:13 PM
Where might we find the MBAKS letter?

from Toby Thaler to everyone: 5:14 PM
June, I'm emailing it to you.

from June BlueSpruce to everyone: 5:14 PM
Thanks, Toby.

from Stuart Niven to everyone: 5:14 PM
Whoop whoop David M - UFC legend and sorely missed. Your comments are always welcome as your information is always so in tune and correct.

from Stuart Niven to everyone: 5:16 PM
Well said Lia!

from Toby Thaler to everyone: 5:16 PM

Excellent point. Lia

from June BlueSpruce to everyone: 5:16 PM

Lia, thank you. We need more community folks included in this discussion

Public input (additional comments received):